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Remarks

Reconsideration of the present application is respectfully requested.

The Examiner has rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Baba in view of Arvanitakis. This rejection is respectfully traversed.

Baba is inapplicable to the present invention for reasons discussed in detail in the Amendments previously filed on November 22, 2002 and on September 16, 2003, and for the reason noted by the Examiner in the present Office Action. The Examiner has cited Arvanitakis in an effort to cure the deficiencies of Baba, as the Examiner asserts that Arvanitakis allegedly discloses a water treatment system including a vertical filter 106 (sic; 160) mounted in a gravitational direction.

However, the filter elements 160 in Arvanitakis are for filtering accumulants such as gum and phosphatides from vegetable oils. While the filter elements 160 are vertically oriented, the resulting filter cake and accumulants that collect on the filter elements 160 must be removed by wipers 180 positioned between the filter elements 160. See col. 4, line 57 – col. 5, line 2. Put another way, the vertical orientation of the filter elements 160 is not related to the operation of the filter elements 160 and in no way prevents them from becoming clogged.

The filter elements 160 in Arvanitakis are designed to pass liquid (rather than air as in the present invention) and to prevent solid accumulants (rather than water) from passing through the elements. Arvanitakis neither teaches nor suggests that the filter elements 160 are vertically oriented to prevent the elements from becoming blocked with contaminants. The fact that the filter elements 160 require wipers 180 to keep the filter elements from becoming clogged is proof that one skilled in the art would have no motivation whatsoever to look to the solid contaminant filter elements 160 of Arvanitakis to cure the deficiencies in the teaching of the water repellant filter 12 of Baba, as the filters are designed for two entirely different filtering functions.

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Therefore, as the combination of Baba and Arvanitakis does not render the present invention as recited in claim 1, Applicants respectfully request that the Examiner withdraw his 35 U.S.C. 103(a) rejection of claim 1.

The Examiner has rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over Baba. This rejection is respectfully traversed.

The Examiner asserts that, although Baba does not teach an environmental introduction port that is divided into a plurality of opening portions that are covered with the filter, it would have been obvious to cover any opening to prevent entry of contaminants into vital locations of the pressure sensing apparatus. Applicants respectfully disagree. The fact that the pressure sensor recited in claim 7 includes an introduction port divided into a plurality of opening portions (see, e.g., FIG. 6) covered with the filter enables the pressure sensor to function even assuming *arguendo* that one or more of the openings becomes clogged. However, the pressure sensor in Baba includes only a single opening for introducing pressure, and neither teaches nor suggests a plurality of opening portions. Therefore, Applicants respectfully assert that the Examiner's rejection begs the question - Why would it have been obvious to one skilled in the art to provide such an introduction port with multiple opening portions when the prior art is devoid of any such teaching? Clarification is respectfully requested.

Further, Applicants note that the present Office Action is the third non-final Office Action that has been issued in the present application. Claim 7 (as well as claim 12, which is discussed below) was allowed as indicated by the Examiner in the second Office Action mailed on March 28, 2003. However, the Examiner has withdrawn his allowance of claim 7 (and claim 12) in the present Office Action without any real indication as to why he was withdrawing his allowance of the claim. *The withdrawal of this claim is even more curious in view of the fact that Baba has been cited against certain of the claims in all three of the Office Actions issued*

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during the course of prosecution of this application. Why was claim 7 (and claim 12) previously allowed over Baba and now rejected in view of Baba? Applicants request that the Examiner at the very least provide support for his change in position, as no such support has been provided at present. Further, if assuming *arguendo* that the Examiner maintains his rejection of one or more of the presently pending claims, Applicants request a chance to traverse the Examiner's reasoning behind this change in position prior to the issuance of any Final Rejection, as it is the Examiner, rather than Applicants, who is creating new issues for consideration at this point in the prosecution of the present application.

Therefore, as Baba does not render the present invention as recited in claim 7 obvious, Applicants respectfully request that the Examiner withdraw his 35 U.S.C. 103(a) rejection of claim 7 and reinstate his allowance of this claim.

The Examiner has rejected claim 12 under 35 U.S.C. 103(a) as being unpatentable over Baba in view of Banks. This rejection is respectfully traversed.

The remarks provided above in connection with claim 7 are also applicable to claim 12, which was also allowed as indicated in the March 28th Office Action.

Further, contrary to the Examiner's assertion, neither Baba nor Banks teaches or suggests a pressure introduction passage that includes a measurement pressure introduction passage and an environmental pressure introduction port respectively extending in horizontal and vertical directions. Applicants respectfully request that the Examiner point to the requisite motivation that must be present in order for one skilled in the art to combine the teachings of two pressure sensors, one of which teaches a single horizontal pressure introduction port and one of which teaches a single vertical pressure introduction port, to result in a pressure sensor as recited in claim 12.

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As the combination of Baba and Banks does not render the present invention as recited in claim 12, Applicants respectfully request that the Examiner withdraw his 35 U.S.C. 103(a) rejection of claim 12.

The Examiner has also indicated that claims 2-6, 8-11, 13 and 14 would be allowable if rewritten in independent form to include the limitations of base claim 1 and any intervening claims. Applicants note with appreciation the indication of allowability of these claims.

However, it should be noted that claims 2 and 3 were already amended into independent format in the Amendment filed on September 15, 2003. Therefore, the Examiner should have already allowed claims 2 and 3, as well as claims 4 and 5 that depend on claim 3. Further, claims 8-11 depend either directly or indirectly from claim 7, which is allowable for the above discussed reasons. Finally, claims 13 and 14 depend from claim 12, which is allowable for the above discussed reasons. Clarification of the status of these claims is respectfully requested.

In view of the above remarks, the present application is now in condition for allowance. Applicants therefore respectfully request a prompt Notice to that effect. A Petition for a one-month extension of time is being submitted herewith. Please charge any fees that may be due, or credit any refunds, to Deposit Account No. 50-1147.

Respectfully submitted,



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